

UNITED STATES DISTRICT COURT, DISTRICT OF MASSACHUSETTS

In re

Robert Louis Marrama

Debtor

Docket No.: 04-12109-PBS

BANKRUPTCY APPEAL

CORRECTED MOTION FOR EXTENSION OF TIME TO FILE BRIEF

NOW COMES David G. Baker, attorney of record for the appellant in the above captioned matter, and moves the Court for an extension of time to file the appellant's brief, and for reasons states due to an unexpected and unfortunate confluence of events, it has become impossible for me to comply with the schedule set by the Order of October 4. Specifically, I have two appeals for which briefs were due on October 19: this one and docket number 04-12107-NG. In addition, I was required to file briefs in two other appeals to the Bankruptcy Appellate Panel after October 4 and before today. Finally, I have a trial in a divorce matter in the Probate and Family Court (sitting in Springfield, MA) on October 20. The foregoing, combined with routine matters, has made it impossible for me to prepare a brief which adequately addresses the issues raised by this appeal.

Therefore, in order to avoid any prejudice to my client, I request an additional three weeks to prepare and file a brief. I am unaware of any prejudice that the appellee would suffer if this motion is granted.

This corrected motion is filed because the original motion was served incorrectly.

WHEREFORE I request an extension of time to file the appellant's brief, to November 9, 2004.

October 21, 2004

Respectfully submitted,

David G. Baker

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the within Motion was served upon the appellee by mailing a true copy of the same via first class mail, postage prepaid, to Michael A. Wirtz, Esq.; Jack Mikels & Associates; Batterymarch Park, Suite 309; Quincy, MA 02169-7454

David G. Baker

David G. Baker, Esq.